



DoDEA ADMINISTRATIVE INSTRUCTION 1344.01

ELIGIBILITY AND ENROLLMENT REQUIREMENTS FOR DoDEA SCHOOLS

Originating Division: Education Policy and Operations

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DoDEA Regulation 1030.1, "Space-Available Eligibility Requirements for Education of Minor Dependents in Overseas Areas," April 4, 2005

Approved by: Thomas M. Brady, Director

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Purpose: This Issuance establishes policy, assigns responsibilities, and prescribes procedures for eligibility determinations and enrollment in the Department of Defense Education Activity (DoDEA) schools in accordance with Title 10 and Title 20, United States Code, and as authorized by DoD Directive 1342.20.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY. This Issuance applies to the DoDEA Headquarters Organization, the DoDEA Americas Region, the DoDEA Europe Region, the DoDEA Pacific Region, and to include all schools under the DoDEA authority, and when applicable, volunteers, students, support personnel, student teachers, contractors, and sponsors, parents, and legal guardians.

1.2. POLICY.

a. It is DoDEA policy that eligible dependents may be enrolled in a DoDEA school under the conditions prescribed in this Issuance. The enrollment categories in this Issuance are listed in priority order.

b. No individual, on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, or status as a parent, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in, a DoDEA conducted education or training program or activity.

1.3. INFORMATION COLLECTION. This Issuance may result in the collection of information due to its policy and procedures. Any collection of information must follow all applicable Federal laws and DoD and DoDEA regulations, policies, and guidance.

SECTION 2: RESPONSIBILITIES

2.1. DODEA DIRECTOR. The DoDEA Director will:

a. Authorize the enrollment of dependents in DoDEA schools and issue guidance necessary to administer enrollment procedures, in accordance with Section 2164 of Title 10, United States Code, Sections 921-932 of Title 20, United States Code, DoD Directive 1342.20, this Issuance, and as otherwise delegated by the Secretary of Defense. Decisions by the DoDEA Director on requests to enroll dependents in accordance with this Issuance are final.

b. Assign responsibilities for the administration of eligibility policy.

c. Make eligibility determinations and grant or deny exception to policy requests that require DoDEA Director, approval in accordance with Section 2164 of Title 10, United States Code, Sections 921-932 of Title 20, United States Code, and as delegated by the Secretary of Defense, and this Issuance. Further delegation of decision-making authority is assigned to specific DoDEA positions by the Director as identified within this Issuance.

d. Request reimbursement from the appropriate sponsor, organization, or Military Department when extra-ordinary costs exceed the tuition cost threshold to educate the dependent and for problematic assignments in accordance with DoDEA Administrative Instruction 7200.01 and DoD Instruction 1315.19.

e. Submit an annual report to Manpower and Reserve Affairs (M&RA) regarding problematic assignments, in accordance with DoD Instruction 1315.19.

f. Ensure the tuition reimbursement program for the cost of educational services is implemented in compliance with legal and regulatory requirements.

2.2. DODEA CHIEF ACADEMIC OFFICER. The DoDEA Chief Academic Officer will:

a. Provide primary oversight of eligibility policy and guidance.

b. Provide recommendations to the DoDEA Director for eligibility exceptions and ensure compliance with provisions of this Issuance.

2.3. DODEA CHIEF OPERATING OFFICER. The DoDEA Chief Operating Officer (COO) will:

a. Establish school year tuition rates annually in accordance with DoDEA Administrative Instruction 7200.01 to be published on the DoDEA website.

b. Ensure compliance in accordance with this Issuance.

2.4. DODEA RESOURCE MANAGEMENT DIVISION CHIEF. The DoDEA Resource Management Division Chief will:

- a. Ensure proper tuition collection coordination in accordance with this Issuance and DoDEA Administrative Instruction 7200.01, including determining when extraordinary costs exceed the tuition cost threshold and must be recouped from the sponsor or organization and/or may impact space-availability determinations.
- b. Determine necessary and permissible manpower allocation adjustments based on any additional manpower requirements in accordance with this Issuance.

2.5. DODEA HUMAN RESOURCES DIVISION CHIEF. The DoDEA Human Resources (HR) Division Chief will:

- a. Ensure the HR Specialist collects a completed Defense Department (DD) Form 2792-1, “Early Intervention/Special Education Summary” and a copy of the student’s current educational plan for dependents of DoDEA employees/selectees for assignments to overseas locations or U.S. territories, as required by Section 6.2. of this Issuance and DoD Instruction 1315.19.
- b. Ensure DoDEA Student Support Services Division Chief receives the completed DD Form 2792-1, “Early Intervention/Special Education Summary” for each student with a disability requiring special education services and provide the employee information about availability of educational services in the assignment location after the DoDEA Student Support Services Division Chief review.

2.6. DODEA STUDENT SUPPORT SERVICES DIVISION CHIEF. The DoDEA Student Support Services Division Chief will:

- a. Monitor compliance in accordance with this Issuance for students with disabilities requiring special education services in accordance with the DoD Manual 1342.12, DoD Instruction 1342.12, Chapter 33 of Title 20, United States Code, also known and referred to in this Issuance as “The Individuals with Disabilities Education Act” or “IDEA.”
- b. Review the DD Form 2792-1, “Early Intervention/Special Education Summary” and the current educational plan to identify which educational supports and services are needed and available in a DoDEA school and provide information about the availability of educational services in the assignment location, in accordance with DoD Instruction 1315.19.

2.7. DODEA EDUCATION POLICY AND OPERATIONS DIVISION CHIEF. The DoDEA Education Policy and Operations Division Chief will:

- a. Through the Office of the Registrar, provide guidance and training for registrars and other DoDEA stakeholders on the provisions of this Issuance.

b. Monitor compliance in accordance with this Issuance through staff assistance visits and consultation.

c. Coordinate with districts to ensure space-available students in overseas locations meet Status of Forces Agreement (SOFA), host nation agreement, major overseas commander, and installation requirements.

d. Executes process for resolution of requests for enrollment and exceptions to policy that require action by the DoDEA Director.

2.8. DODEA TECHNOLOGY AND INNOVATION DIVISION CHIEF. The DoDEA Technology and Innovation Division Chief will:

a. Ensure compliance in accordance with this Issuance within DoDEA Virtual School.

b. Ensure that the DoDEA Virtual School registrar and local support staff responsible for enrolling students in the DoDEA Virtual School are trained in DoDEA eligibility and enrollment procedures.

2.9. DIRECTOR FOR STUDENT EXCELLENCE. The Director for Student Excellence under the authority, direction, and control of the DoDEA Director will:

a. Ensure compliance in accordance with this Issuance within their respective region.

b. Brief commands on the DoDEA schools' commuting areas and the extent of dependent transportation service supporting the region DoDEA schools.

c. Assign responsibility to District and Community Superintendents accountable for adherence to this Issuance.

d. Make determinations for enrollment, continued enrollment, or disenrollment of dependents when designated within this Issuance as the decision-making authority.

2.10. DISTRICT AND COMMUNITY SUPERINTENDENTS. The District and Community Superintendents under the authority, direction, and control of the DoDEA Director, and through the Directors for Student Excellence will:

a. Ensure compliance in accordance with this Issuance within their geographical area of responsibility.

b. Establish, in coordination with the supporting installation or community commander, commuting areas supporting DoDEA schools for the purpose of determining eligibility for transportation, in accordance with DoD Manual 4500.36.

c. Evaluate the DoDEA School Principal's recommendation and make determinations for enrollment, continued enrollment, or disenrollment of space-available dependents, except where responsibility is assigned to a higher authority within this Issuance.

d. Determine permissible within-district manpower allocation adjustments to accommodate space-available students, in accordance with Section 7.1.b. of this Issuance.

e. Make final decisions for feeder plan/commuting area requests by approving or denying exceptions to the feeder plans or commuting area in accordance with this Issuance.

f. Ensure that each school registrar and local support staff responsible for enrolling students are trained in DoDEA eligibility and enrollment procedures.

2.11. DODEA SCHOOL PRINCIPALS. The DoDEA School Principals will:

a. Ensure eligibility determinations in the DoDEA schools, including receipt and review of appropriate documentation, are in accordance with this Issuance.

b. Make final determinations for enrollment, continued enrollment, or disenrollment of dependents where responsibility is specifically assigned within this Issuance.

c. Assess the availability of physical space, manpower, educational and related services, supplies, materials, equipment, and transportation that exist in their school for the enrollment of dependents on a space-available basis and report the results of their assessment to the respective District and Community Superintendents in accordance with this Issuance.

d. Recommend to the District and Community Superintendents the enrollment, continued enrollment, or disenrollment of space-available dependents in accordance with Section 7 of this Issuance.

e. Make final determinations regarding whether a student qualifies for an exception to minimum age requirements in accordance with Section 8 of this Issuance.

2.12. SCHOOL REGISTRARS. The School Registrars will:

a. Perform school administrative functions to support school eligibility and enrollment and enter appropriate registration information into the Student Information System (SIS) in accordance with this Issuance.

b. Make initial determinations for enrollment, continued enrollment, or disenrollment of space-required dependents except where responsibility is assigned to a higher authority within this Issuance.

c. Maintain documentation to support the enrollment of dependents and ensure adherence to the DoDEA Regulation 5015.01.

2.13. SPONSORS. The Sponsors will:

- a. Provide the receiving DoDEA school with school records from their dependent's former school or provide contact information for requesting these records from the former school.
- b. Provide the receiving DoDEA school with all required documentation to support the eligibility determination and enrollment of their dependents, including, but not limited to, the documents identified in Section 6.1. of this Issuance.
- c. Be responsible for transportation of their space-available students to and from school, when required.
- d. Be responsible for reimbursing the U.S. Government (USG) for costs incurred by the DoD, if erroneous or misleading information is found to have been provided for eligibility determination.

SECTION 3: DODEA SCHOOLS IN EUROPE, PACIFIC (EXCLUDING GUAM), AND GUANTANAMO BAY, CUBA

3.1. SPACE-REQUIRED, TUITION-FREE. The following categories of students are eligible for enrollment on a space-required, tuition-free basis.

a. Dependent students of sponsors, who are either members of the United States (U.S.) Armed Forces serving on active duty or citizens or nationals of the U.S. serving as full-time DoD civilian employees, and who have been authorized to transport dependents to or from an overseas area at USG expense and have been provided a living quarters allowance (LQA) for that overseas area, in accordance with Sections 921-932 of Title 20, United States Code.

b. Dependent students of full-time DoD civilian sponsors who are: (1) citizens or nationals of the U.S.; (2) are locally hired, as either appropriated fund or non-appropriated fund employees; and (3) are not entitled to transportation to or from an overseas area nor entitled to an LQA in accordance with DoD Instruction 1315.19 and Volume 1250 of DoD Instruction 1400.25.

c. Dependent students of a DoD sponsor who is detained by a foreign power, declared missing in action, a Prisoner of War (POW), or otherwise unlawfully detained, may remain in a DoDEA school, for as long as the detention or missing status exists, subject to the approval of the Director for Student Excellence.

d. Dependent students of foreign military North Atlantic Treaty Organization (NATO) members assigned to the Supreme Headquarters Allied Powers, Europe (SHAPE), are eligible to attend the DoDEA schools in Mons, Belgium, in accordance with Section 923a of Title 20, United States Code. Up to 650 dependents of this class waiver are eligible to attend on a space-required, tuition-free basis.

e. Dependent students of DoD Dual-Appointed Interagency Employees assigned to U.S. Africa Command and U.S. European Command who meet all the requirements to be considered as full-time DoD civilian employees. The required enrollment documentation includes, copy of permanent change of station (PCS) orders, copy of Verification of Employment, and a copy of Standard Form (SF) 50, "Notification of Personnel Action." Block 46 of SF 50, "Notification of Personnel Action" must list a DoD organization.

f. Dependent students authorized to accompany their DoD sponsor to the country of the sponsor's assignment ordinarily will not be entitled to space-required, tuition-free education in a DoD dependents school in a different overseas location. Any exceptions to this policy require approval by the Director for Student Excellence.

3.2. SPACE-REQUIRED, TUITION-PAYING. The following categories of students are eligible for enrollment on a space-required, tuition-paying basis. Tuition will be paid by the sponsor's employing organization, not by the dependent's sponsor:

a. Dependent students of sponsors who are otherwise space-required, tuition-free, but the sponsor is assigned to a Security Assistance Office in accordance with Title 20, United States Code.

b. Dependent students of employees who are otherwise space-required, tuition-free, but the sponsor is an employee of the Foreign Military Sales (FMS) program.

3.3. SPACE-AVAILABLE, TUITION-PAYING (FEDERALLY CONNECTED). The following categories of students, who are dependents of sponsors whose employment is connected to the USG, may be enrolled in the following priority order, on a space-available, tuition-paying basis, in accordance with space-available determination procedures outlined in Section 7 of this Issuance:

a. Dependent students of U.S. citizens who are full-time employees of defense contractors, whose organization has executed contracts or other agreements with the DoD when the applicable contract or agreement authorizes dependent education on a space-available, tuition-paying basis in a DoDEA school. The requisite official documentation, (i.e., Logistical Support Section of the Contract, Letter of Identification, or Letter of Authorization) from the applicable defense contractor identifying the organization contract number, length of the contract, and names of dependents, must be presented at the time of registration. The contract or Letter of Authorization/Identification must authorize dependent education, on a tuition-paying basis, in a DoDEA school subject to space availability.

b. Dependent students of full-time non-DoD Federal employees stationed overseas.

c. Dependent students of U.S. citizens who are full-time employees of overseas organizations that serve defense related interests not covered in Section 3.3.a. of this Issuance and/or which have executed contracts or other agreements with the USG (e.g., American Red Cross, Boys and Girls Scouts, Post Exchange concessionaire contractors, United Service Organizations, Inc., university education personnel).

d. Dependent students of foreign military and host-nation or third-country national military or civilian personnel accompanying or serving with the Military Services overseas, if not covered in another Section of this Issuance, when recommended by the major overseas commander and approved by the Director for Student Excellence (e.g., third country national military and civilian personnel serving with the U.S. Armed Forces overseas, NATO, Canadian, or other Allied Forces).

e. Dependent students of other sponsors while serving the national interest as determined by the Director for Student Excellence.

3.4. SPACE-AVAILABLE, TUITION-FREE. The following categories of students may be enrolled, in the following priority order, on a space-available, tuition-free basis, in accordance with space-available determination procedures outlined in Section 7 of this Issuance:

a. Dependent students of members of the U.S. Armed Forces serving on active duty or DoD civilian employees who are stationed in overseas areas to which their dependents are not authorized transportation at USG expense or not entitled to LQA, when the sponsors elect to transport these dependents at their own expense to overseas areas in which the sponsors are stationed (i.e., non-command sponsored dependents). This eligibility provision may not be used to circumvent the overseas assignment screening process required under DoD Instruction 1315.19. Space may not be available for dependents who were not screened or were denied command sponsorship during the screening process due to lack of available educational resources to meet the dependent's needs. If at any time during a DoD sponsor's overseas assignment that sponsor's non-command sponsored dependents become command-sponsored or the sponsor acquires command-sponsored dependents, those dependents shall be authorized space-required, tuition-free status.

b. Dependent students of members of the U.S. Armed Forces who died while on active duty when on permanent or temporary change of station orders or deployed overseas for a period of more than 60 calendar days, provided the DoDEA Director determines there is a compelling need for such enrollment. This waiver applies to dependents of the deceased military service member who were entitled to enroll on a space-required tuition-free basis in DoDEA or would have been entitled to enroll on a space-required tuition free basis had their military service member sponsors been permanently stationed overseas at the time of their deaths. The dependent must enroll in a DoDEA school where the dependent resides either within one (1) year of the military service member's death; or, if the dependent is below school age when the military service member dies, within one (1) year of the dependent becoming eligible to enroll. This one-year enrollment limitation may be waived by the DoDEA Director at his/her discretion.

c. Non-command-sponsored DoD dependent students of DoD sponsors, who are enrolled in a DoDEA school may remain enrolled in that same DoDEA school if their sponsor is declared missing in action, a POW, or otherwise unlawfully detained, for as long as the detention or missing status exists, subject to the approval of the Director for Student Excellence.

d. Dependent students of members of the U.S. Armed Forces serving on active duty and full-time DoD civilian employees whose eligibility would be terminated because the DoD sponsor transfers, dies, or retires during the school year, and who remain within reasonable commuting distance of the school, may complete the current school year, if allowable within the provisions of federal law, SOFA, international agreements, and installation requirements, as required for all space-available students. Eligibility status for those students in subsequent years is dependent upon meeting the eligibility requirements outlined in this Issuance.

e. Dependent students of Reserve component members of the U.S. Armed Forces who are ordered to active duty under either Sections 12301 or 12302 of Title 10, United States Code for a period of one hundred and eighty (180) days or more to an overseas location on an unaccompanied

tour, on either a temporary duty or permanent duty change of station basis when: (1) There is a DoDEA school in the assigned overseas location, and the dependent is transported to the assigned overseas location at the sponsor's expense; or (2) There is no DoDEA school in the assigned overseas location, but the dependent was enrolled, and will remain enrolled, in a DoDEA school, when the sponsor was ordered to active duty. Dependents under this category shall be allowed to finish the school year if the activated Reserve component member returns to an inactive status.

f. Designated-place move for foreign-born spouses. Dependent students of members of the Armed Forces serving on active duty in a dependent restricted overseas location when the dependents are authorized to reside in the foreign-born spouse's native country in accordance with DoD instruction 1315.18, provided the service member is authorized cost of living and temporary lodging allowances at the with-dependents rate based on the dependents' location. The sponsor must:

(1) Be assigned to a dependent-restricted overseas location.

(2) Provide designated place move orders signed by the Secretary of the Military Department concerned, or designee.

(3) Provide transportation for dependents living outside the commuting zone of a DoDEA school.

g. Dependent students of foreign military and diplomatic personnel participating in the Partnership for Peace Program (PfP) at European locations where there are NATO commands and DoDEA schools.

h. Dependent students of active diplomatic, defense attaché, and military liaison personnel from the Newly Independent States (NIS) of the former Soviet Union assigned at Ankara, Turkey.

i. Dependent students of foreign military NATO members who are assigned to SHAPE and seek enrollment in a DoDEA school in Mons, Belgium, once 650 dependents have enrolled in accordance with Section 3.1.d. of this Issuance but not to exceed the total number of U.S. citizen dependents enrolled.

j. Eligible dependents of military and diplomatic personnel whose nations participated in the PfP Program, prior to becoming full members of NATO, and that became or become full NATO members during the period between March 2020 and March 2025, in a European nation where there is a NATO command and DoDEA schools. This waiver may be applied for the duration of the sponsor's tour and is not to exceed a total of three (3) years for each eligible dependent. This waiver will expire on March 31, 2025.

3.5. SPACE-AVAILABLE, TUITION-PAYING (NON-FEDERALLY CONNECTED). The following categories of students, who are dependents of sponsors with no connection to the USG, may be enrolled in the following priority order, on a space-available, tuition-paying basis, in accordance with space-available determination procedures outlined in Section 7 of this Issuance:

a. Dependent students of any U.S. citizens residing in overseas areas, including dependents of retired personnel or prior member of the U.S. Armed Forces, or deceased personnel not covered by Section 3.4.b. or 3.4.d. of this Issuance.

b. Dependent students of foreign nationals, when there is no objection from the host nation and when such inclusion does not displace or prevent inclusion of U.S. citizen-sponsored dependents seeking admission on the same basis at the same time.

SECTION 4: DoDEA AMERICAS SCHOOLS IN THE CONTIGUOUS UNITED STATES

4.1. SPACE-REQUIRED, TUITION-FREE. The following categories of students are eligible for enrollment on a space-required, tuition-free basis:

a. Dependent students of members of the U.S. Armed Forces serving on active duty and full-time DoD civilian employees residing in permanent living quarters on a military installation in the Contiguous U.S. (CONUS) if the installation is served by DoDEA schools in accordance with Section 2164 of Title 10, United States Code.

b. Dependent students of members of the U.S. Armed Forces serving on active duty assigned in CONUS, without regard to the requirement to reside on a military installation, if the dependent resides in temporary housing (regardless of whether the temporary housing is on Federal property) because of the unavailability of adequate permanent living quarters on the military installation to which the member is assigned; or while the member is wounded, ill, or injured; and the DoDEA Director determines that the circumstances of such living arrangements justify extending the enrollment authority to include the dependents. The member must be assigned through official orders to an installation serviced by DoDEA Americas.

c. Dependent students of a deceased member of the U.S. Armed Forces residing in permanent living quarters on a military installation served by DoDEA schools when the member of the U.S. Armed Forces died in the line of duty in a combat-related operation, as designated by the Secretary of Defense. Enrollment must be approved by the DoDEA Director.

d. Dependent students of foreign armed forces residing in permanent living quarters on a military installation served by DoDEA schools, when authorized by official orders to travel and accompany the sponsor. Enrollment must be approved by the DoDEA Director.

4.2. SPACE-REQUIRED, TUITION-PAYING. The following categories of students are eligible for enrollment on a space-required, tuition-paying basis. Tuition will be paid by the sponsor's employing organization, unless otherwise noted in this Section:

a. Dependent students of West Point Athletic Association (WPAA) contract employees who reside on the military installation. Tuition will be paid by WPAA in accordance with Section 4362 of Title 10, United States Code, and the Cooperative Agreement with the Secretary of the Army.

b. Dependent students of a member of the U.S. Armed Forces on active duty who are enrolled in an elementary or secondary school operated by a Local Education Agency (LEA) or other accredited educational program in the U.S., other than a school operated by DoDEA, and who immediately prior to such enrollment were enrolled in a DoDEA overseas school, to complete coursework through the DoDEA Virtual School. This eligibility provision applies to enrollment in the DoDEA Virtual School when tuition is paid by the dependent's sponsor, and when the LEA or other accredited educational program does not offer the requested coursework and the course(s)

through the DoDEA Virtual School are taken for credit, or extenuating circumstances exist to justify enrolling the dependent in the DoDEA Virtual School, upon the approval of the DoDEA Virtual School Principal.

4.3. SPACE-AVAILABLE, TUITION-PAYING (FEDERALLY CONNECTED). The following category of students may be enrolled on a space-available, tuition-paying basis in accordance with space-available determination procedures outlined in Section 7 of this Issuance: Dependent students of full-time non-DoD Federal employees, if stationed overseas and while enrolled in a DoDEA school in an overseas area on a tuition-paying basis, departed the overseas location as a result of an evacuation order, to the designated safe haven of the dependent; such safe haven is within a reasonable commuting distance of a DoDEA Americas school; and the school possesses the capacity and resources necessary to enable the student to attend the school. Enrollment must be approved by the DoDEA Director. The student may attend the school only through the end of the school year unless an exception is approved by the DoDEA Director.

4.4. SPACE-AVAILABLE, TUITION-FREE. The following category of students may be enrolled on a space-available, tuition-free basis in accordance with space-available determination procedures outlined in Section 7 of this Issuance: Dependent students of members of the U.S. Armed Forces serving on active duty and full-time DoD civilian employees, if stationed overseas and while enrolled in a DoDEA school in an overseas area, departed the overseas location as a result of an evacuation order, to the designated safe haven of the dependent; such safe haven is within a reasonable commuting distance of a DoDEA Americas school; and the school possesses the capacity and resources necessary to enable the student to attend the school. Enrollment must be approved by the DoDEA Director. The student may attend the school only through the end of the school year unless an exception is approved by the DoDEA Director.

4.5. SPACE-AVAILABLE, TUITION-PAYING (NON-FEDERALLY CONNECTED). Not authorized.

SECTION 5: DoDEA AMERICAS SCHOOLS IN GUAM AND PUERTO RICO

5.1. SPACE-REQUIRED, TUITION-FREE. The following categories of students are eligible for enrollment on a space-required, tuition-free basis:

a. Dependent students of members of the U.S. Armed Forces serving on active duty, stationed or home-ported in Guam or Puerto Rico, residing on or off a military installation served by DoDEA schools. Eligibility will be based upon the permanent duty station (PDS) to which the military sponsor is assigned by official orders.

b. Dependent students of full-time DoD civilian employees residing in permanent living quarters on the military installation served by DoDEA schools.

c. Dependent students of DoDEA full-time, professional, excepted service employees stationed in Guam or Puerto Rico and residing on or off the military installation served by DoDEA schools. The five (5) consecutive school year limitation in Section 5.1.d. of this Issuance does not apply to these dependent students.

d. Dependent students of full-time DoD civilian employees, not covered in Section 5.1.c. of this Issuance residing off the military installation served by DoDEA schools, who are serving in a position which includes PCS or transportation agreement *or who are subject by policy and practice to transfer or reassignment to a location where English is the language of instruction in the schools normally attended by dependent children of Federal personnel as documented by a written statement. The statement must identify the written policy/practice and be signed by the employing agency's Director of Personnel or principal administrative officer at its main headquarters office. Sponsors are required to meet additional eligibility requirements in accordance with Section 6.1. of this issuance.* Dependents in this category may not be enrolled for more than five (5) consecutive school years unless the Director for Student Excellence extends the period if: (1) the dependent is otherwise qualified for enrollment; (2) space is available in the program; and (3) the Department of Defense is reimbursed for the educational services provided. Dependent students whose enrollment was extended will convert from space-required, tuition free to space-available, tuition-paying in accordance with Section 5.3.a. of this Issuance.

e. Dependent students of a deceased member of the U.S. Armed Forces residing in permanent living quarters on a military installation served by DoDEA schools when the member of the U.S. Armed Forces died in the line of duty in a combat-related operation, as designated by the Secretary of Defense. Enrollment must be approved by the DoDEA Director.

f. Dependent students of members of the U.S. Armed Forces serving on active duty residing on or off the military installation served by DoDEA schools under a designated place move, whose sponsor is assigned to a remote location or is assigned to an unaccompanied tour of duty as authorized by the member's orders. Enrollment must be approved by the Director for Student Excellence.

g. Dependent students of foreign armed forces residing in permanent living quarters on a military installation served by DoDEA schools, when authorized by official orders to travel and accompany the sponsor. Enrollment must be approved by the DoDEA Director.

5.2. SPACE-REQUIRED, TUITION-PAYING. The following categories of students are eligible for enrollment on a space-required, tuition-paying basis. Tuition will be paid by the sponsor's employing organization, unless otherwise noted in this Section:

a. Dependent students of full-time civilian employees of the U.S. Customs and Border Protection residing in Puerto Rico on or off the military installation served by DoDEA schools. The five (5) consecutive school year limitation in Section 5.2.b. of this Issuance does not apply to these dependent students.

b. Dependent students of full-time non-DoD Federal employees residing on or off the military installation served by DoDEA schools, who are serving in a position which includes PCS or transportation agreement *or who are subject by policy and practice to transfer or reassignment to a location where English is the language of instruction in the schools normally attended by dependent children of Federal personnel as documented by a written statement. The statement must identify the written policy/practice and be signed by the employing agency's Director of Personnel or principal administrative officer at its main headquarters office. Sponsors are required to meet additional eligibility requirements in accordance with Section 6.1. of this issuance.* Dependents in this category who reside off the military installation may not be enrolled for more than five (5) consecutive school years, unless the Director for Student Excellence extends the period if: (1) the dependent is otherwise qualified for enrollment; (2) space is available in the program; and (3) the Department of Defense is reimbursed for the educational services provided. Dependent students whose enrollment was extended will convert from space-required, tuition paying to space-available, tuition paying in accordance with Section 5.3.a. of this Issuance.

c. Dependent students of full-time employees of the American Red Cross residing in Puerto Rico and performing emergency services on behalf of members of the U.S. Armed Forces, if the Red Cross reimburses DoDEA for the educational services provided. Enrollment must be approved by the DoDEA Director.

d. Dependent students of a member of the armed forces on active duty who are enrolled in an elementary or secondary school operated by an LEA or other accredited educational program in the U.S., other than a school operated by DoDEA, and who immediately prior to such enrollment were enrolled in a DoDEA overseas school, to complete coursework through the DoDEA Virtual School. This eligibility provision applies to enrollment in the DoDEA Virtual School on a tuition paying basis, when tuition is paid by the dependent's sponsor and when the LEA or other accredited educational program does not offer the requested coursework and the course(s) through the DoDEA Virtual School are taken for credit, or extenuating circumstances exist to justify enrolling the dependent in the DoDEA Virtual School upon the approval of the DoDEA Virtual School Principal.

5.3. SPACE-AVAILABLE, TUITION-PAYING (FEDERALLY CONNECTED). The following categories of students, who are dependents of sponsors whose employment is connected to the USG, may be enrolled in the following priority order, on a space-available, tuition-paying basis, in accordance with space-available determination procedures outlined in Section 7 of this Issuance.

a. Dependent students of full-time Federal civilian employees residing off the military installation served by DoDEA schools, ~~who are serving in a position which includes PCS or transportation agreement~~, when the dependent has been enrolled under Section 5.1.d. or Section 5.2.b. of this Issuance for more than five (5) consecutive school years and the Director for Student Excellence extends the period upon determining the required criteria are met (i.e., otherwise qualified for enrollment, space is available, and tuition is paid). Request for continuation of enrollment in the next school year must be in writing and authorization will cover only one (1) school year at a time.

b. Dependent students of full-time non-DoD Federal employees, if stationed overseas and while enrolled in a DoDEA school in an overseas area on a tuition-paying basis, departed the overseas location as a result of an evacuation order, to the designated safe haven of the dependent; such safe haven is within a reasonable commuting distance of a DoDEA Americas school; and the school possesses the capacity and resources necessary to enable the student to attend the school. Enrollment must be approved by the DoDEA Director. The student may attend the school only through the end of the school year unless an exception is approved by the DoDEA Director.

5.4. SPACE-AVAILABLE, TUITION-FREE. The following category of students may be enrolled on a space-available, tuition-free basis in accordance with space-available determination procedures outlined in Section 7 of this Issuance: Dependent students of members of the U.S. Armed Forces serving on active duty and full-time DoD civilian employees, if stationed overseas and while enrolled in a DoDEA school in an overseas area, departed the overseas location as a result of an evacuation order, to the designated safe haven of the dependent; such safe haven is within a reasonable commuting distance of a DoDEA Americas school; and the school possesses the capacity and resources necessary to enable the student to attend the school. Enrollment must be approved by the DoDEA Director. The student may attend the school only through the end of the school year unless an exception is approved by the DoDEA Director.

5.5. SPACE-AVAILABLE, TUITION-PAYING (NON-FEDERALLY CONNECTED). Not authorized.

SECTION 6: ADDITIONAL ELIGIBILITY CONSIDERATIONS

6.1. GENERAL ELIGIBILITY REQUIREMENTS. This Section outlines eligibility requirements for all DoDEA schools.

a. To have access to DoDEA schools, the documentation required to support the enrollment of dependents may include, but is not limited to:

(1) Sponsor eligibility (must have at least one of the following):

(a) PCS orders.

(b) Employment verification and the SF 50, "Notification of Personnel Action."

(c) Letter or contract section from applicable defense contractor indicating DoDEA school eligibility, assigned location, tour length, and names of dependents.

(2) Dependent's relationship to sponsor (if not covered in PCS orders or employment verification) indicating one (1) of the following:

(a) Certified birth certificate listing the sponsor or spouse as the biological parent.

(b) Court-ordered documentation (guardianship, adoption).

(c) Official Memorandum or Correspondence that lists dependent by name (e.g., Command Letter, Military Personnel Memo, Dependent Entry Approval, Port Call.)

(d) Defense Enrollment Eligibility Reporting System (DEERS).

(e) Marriage certificate.

(3) Other Required Documentation:

(a) Proof of on-base housing (DoDEA Americas CONUS only).

(b) Proof of required immunizations.

(c) Student education records for space-available enrollment requests, in accordance with Section 7.2.a. of this Issuance.

(d) Exceptional Family Member Program (EFMP) Screening in accordance with Section 6.2.a. of this Issuance.

b. Access to the military installation is the responsibility of the installation commander. DoDEA personnel are not authorized to assume sponsorship of dependents or assist in any way in gaining access to the installation for any eligible dependent to participate in a DoDEA educational program.

c. Dependent students of members of the U.S. Armed Forces or federal employees who are currently enrolled in DoDEA Americas schools in CONUS, Guam, or Puerto Rico, whose eligibility would be terminated because of a change of status of their sponsor during the school year, and who remain in reasonable commuting distance from the school, may complete the current school year if installation access is allowed. Request for continuation of enrollment for the next school year may be approved by the Director for Student Excellence for good cause. The request must be in writing and authorization will cover only one (1) school year at a time.

d. Dependents are eligible for enrollment in schools specified in the feeder plan for a particular geographical area. In cases where there is more than one (1) DoDEA school, sponsors may apply each year to the District Superintendent for an exception to the feeder plan or commuting area of a DoDEA school. If approved, the dependent will be enrolled at the receiving DoDEA School for the approved school year. However, transportation to the receiving school will not be provided at DoDEA expense. The feeder plan exception does not apply to DoDEA schools in Guam and Puerto Rico.

e. Dependent students may be granted a 90-school day exception to the requirement to reside in permanent living quarters on a military installation due to a lack of available housing on a military installation served by DoDEA Americas schools. Written affirmation provided by the installation family housing manager that the dependent's sponsor has applied for and will be able to occupy permanent quarters on the military installation within 90 school days after the sponsor reports to the new duty station. If enrollment occurs based on this exception, failure of the sponsor to accept permanent quarters on the military installation when available and offered shall end the child's eligibility to attend DoDEA Americas schools. An extension for an additional 90-school days may be approved by the Director for Student Excellence when a significant number of housing units on the installation are unoccupied due to the following factors: (1) a major renovation project; (2) a major construction project; (3) a natural disaster; or (4) emergency conditions.

f. Dependents who would otherwise be eligible for enrollment in a DoDEA school and whose sponsor enrolls them in local education agency schools, host-nation schools, international schools, private schools, or another non-DoDEA full-time educational program provided by a hospital, medical, or other therapeutic institution may not also be enrolled in a DoDEA school. Sponsors who choose such educational programs outside of DoDEA are personally responsible for their dependents' tuition and educational programs, including the provision of special education services. This provision does not affect a DoDEA-enrolled student's rights under DoDEA Regulation 2500.01.

g. Dependents under the minimum school age requiring early intervention or special education services to meet the educational needs of dependents with disabilities in accordance with DoD Instruction 1342.12 and DoD Manual 1342.12 must also meet the enrollment eligibility requirements in this Issuance.

h. For dependents required to pay tuition, the amount of tuition shall be determined by the COO and may not be less than the rate necessary to cover the average cost of enrollment of children in the DoDEA schools in accordance with DoDEA Administrative Instruction 7200.01.

6.2. UNIQUE ELIGIBILITY SITUATIONS. This Section outlines unique conditions outside of standard eligibility.

a. EFMP screening is a prerequisite for enrollment overseas for dependents in accordance with DoD Instruction 1315.19. Eligible dependents of civilian employees or selectees assigned to positions overseas or U.S. territories may voluntarily forward to their HR representative completed DD Form 2792, “Family Member Medical Summary” or DD Form 2792-1, “Early Intervention/Special Education Summary” for each family member with special needs to determine the availability of medical and educational services. DD Form 2792-1, “Early Intervention/Special Education Summary” must be submitted if the employee/selectee intends to enroll their child in a school overseas or U.S. territory funded by the DoD or a school in which DoD is responsible for paying the tuition for a space-required family member.

b. Dependents who have been barred from the installation and/or removed from a DoDEA school for more than ten (10) consecutive school days in a school year may be provided the opportunity to obtain continued academic services through DoDEA in accordance with DoDEA Administrative Instruction 1347.01. Space-required, tuition-free students will be provided appropriate educational programs at DoDEA expense until such eligibility terminates. For other eligibility categories, expenditure of additional resources may be prohibited as outlined in Section 7 of this Issuance (for space-available students) and DoDEA Administrative Instruction 7200.01 and may require disenrollment.

c. No student who is under expulsion or suspension from a DoDEA or non-DoDEA school may attend a DoDEA school without express authorization of the receiving DoDEA District Superintendent in accordance with DoDEA Administrative Instruction 1347.01.

d. Dependent eligibility status does not change solely based on receiving home or hospital instructional services under the provisions of DoDEA Regulation 2500.01.

SECTION 7: SPACE-AVAILABLE ENROLLMENT DETERMINATION AND PROCEDURES

7.1. SPACE-AVAILABLE DETERMINATION.

a. General Eligibility. DoDEA is permitted to determine that if space is available, dependents in the space-available categories specified in this Issuance may be enrolled in a DoDEA school, if allowable within the provisions of Federal law, SOFA, host nation/international agreements, and installation requirements.

(1) **Determination Timeline.** A tentative decision regarding the capability of a school to provide for the needs of the dependent will be made as soon as possible after receipt of a completed application and serves to establish the priority (date of complete application), within the category for which the space-available dependent qualifies under this Issuance. Final determination will be made no later than two (2) weeks before the start of the school year.

(2) **Denial/Termination.** Admission may be denied or terminated based upon an incomplete application or whenever DoDEA determines that sufficient educational resources, physical space, manpower, related services, supplies, materials, and/or equipment, are not available to serve, or to continue to serve, a space-available dependent. The sponsor of a space-available dependent will be notified in writing of the denial of admission or termination of enrollment. See “Appendix 2: Notice to Sponsors and Consent for All Space-Available Students” and “Appendix 4: Sample Letter of Denial for Space-Available Enrollment” of this Issuance for sample letters.

(3) **Educational Supports and Related Services.** When determining eligibility for space-available enrollment, no portion of an educational program may be waived in order to enroll a dependent on a space-available basis if the program is required by:

(a) DoD or DoDEA regulations or policies.

(b) Any plan (e.g., 504 Accommodation Plan, Individualized Education Program (IEP), English for Speakers of Other Languages (ESOL)) that requires educational supports and/or related services as defined in this Issuance.

(4) **Continued Enrollment.** The continued enrollment of a space-available dependent is not guaranteed from school year to school year, whether at the current school, or in a subsequent or sequential school as defined by the applicable district feeder plan. The educational program of each space-available dependent will be reviewed prior to the end of each school year to determine the student’s needs and the capability of the school to provide for those needs for the following school year.

(5) **Priority of Enrollment.** A space-available dependent who enrolls in the same school that was attended in the previous school year, or who enrolls in a school in the same district shall be given priority over a new applicant in the same eligibility category. An application must be submitted by the end of the school year to be given priority in the following school year.

(6) Enrollment Eligibility Date. Each space-available dependent within a particular enrollment eligibility category will be considered for enrollment based upon the date on which the sponsor was assigned/hired in the current overseas location and when the registration process is completed. Eligibility date begins when both are completed.

b. Criteria for Space-Available Determination. Eligible dependents as determined in accordance with this Issuance may be enrolled on a space-available basis in a DoDEA school when it is determined the school or district has space that exceeds the space required by the school or district to meet the educational needs of space-required dependents. The criteria for determining if a school and/or district have space availability will include the following:

(1) Physical Space.

(a) A school shall not construct physical space solely to accommodate the enrollment of a space-available dependent.

(b) A school shall not lease additional space solely to accommodate the enrollment of a space-available dependent.

(2) Manpower.

(a) Manpower allocated to a school to meet its student-teacher staffing ratios and to support its instructional programs will be used to determine enrollment eligibility for space-available students.

(b) The district may reallocate or share manpower within the district to accommodate the enrollment of space-available students if the reallocation or sharing does not exceed the manpower allocation of the district and does not jeopardize instruction or services for any space-required students.

(c) A school and/or district is not authorized to expend funds to relocate personnel for the sole purpose of providing full time or itinerant services for space-available dependents.

(d) A school may not circumvent manpower limitations by the use of contractor services.

(e) A school must report manpower used in support of space-available minor dependents to the District Superintendent at the end of each school year.

(3) Related Services.

(a) If a school is informed by the servicing military medical facility that provides related services, that the medical facility is unable or unwilling to provide such services on behalf of space-available dependents; space is not available at the school.

(b) A school may, but is not required to, enter into agreements with related service providers when services are not available free of charge from the local military community. In that case, the related service provider will deliver evaluative and other related services as

necessary to meet the identification, evaluation, and service requirements set forth in DoD Instruction 1342.12, when:

1. The costs of acquiring additional services are reimbursed in accordance with Section 1535 of Title 31, United States Code, also known as “The Economy Act.” Unique extraordinary costs that are over the excess cost threshold must be recouped from the sponsor or the sponsor’s organization/agency as directed by DoD Instruction 1315.19 and DoDEA Administrative Instruction 7200.01.

2. The sponsor of the space-available dependent is employed by a non-DoD Federal Government agency in the overseas area.

3. The school is satisfied that the contracted related service provider can provide adequate services.

(c) A school may not create space by funding a contract with a non-DoD sponsor to provide services to his or her space-available dependent.

(4) Supplies, Materials, and Equipment.

(a) A school may not expend any additional resources to acquire supplies and materials to accommodate the educational program of a space-available dependent.

(b) A school may not expend any additional resources to acquire specialized equipment to accommodate the educational program of a space-available dependent.

(5) Transportation.

(a) Transportation may not be used as the sole criterion for denial of enrollment if a sponsor agrees to transport their space-available dependent(s) to and from the school.

(b) A school may not add transportation services solely to accommodate space-available dependents for daily commuting, field trips, extra-curricular activities, or special education transportation.

(6) Acceptance of Funds. Any process to fund tuition or additional requirements needed for space-available student must be accomplished in accordance with DoDEA Administrative Instruction 7200.01.

7.2. SPACE-AVAILABLE PROCEDURES.

a. The requesting sponsor shall provide official documentation required to assess the school or district’s capacity to meet the educational needs of a space-available applicant. Failure to provide this documentation may result in the denial or immediate termination of space-availability in accordance with Section 7.1.a.(2) of this Issuance. This includes, but may not be limited to:

- (1) Academic records for placement purposes.
- (2) Records concerning unique needs of the student (e.g., reading, special education, English proficiency, advanced academic/gifted eligibility, behavioral, therapies, disabilities.)
- (3) A signed “Notice to Sponsors and Consent for all Space-Available Students” agreement from each sponsor of a space-available dependent. See “Appendix 1: Notice to Sponsors and Consent for All Space-Available Students.”
 - b. The DoDEA School Principal shall provide an initial determination of space-availability to the District Superintendent and Community Superintendent for the next school year by May 1 of the previous year and make periodic updates as appropriate based on space-available eligibility determinations made under Sections 3-7 of this Issuance.
 - c. The District Superintendent or Community Superintendent shall evaluate the DoDEA School Principal’s recommendation for providing educational or related services to serve space-available dependents and make a final determination regarding the DoDEA School Principal’s recommendation, unless the enrollment determination authority for the particular class is retained at a higher level, in which case, the request will be forwarded to the appropriate approval authority (e.g., DoDEA Director or Director for Student Excellence.)
 - d. Upon approval of the District or Community Superintendent (or higher authority), DoDEA School Principals will provide the formal determination of space availability to the requesting sponsor. See “Appendix 4: Sample Letter of Termination for Space-Available Enrollment.”

SECTION 8: MINIMUM AGE REQUIREMENT

8.1. PRESCHOOL. It is DoDEA policy that a child be four years old on or before September 1 of the enrolling year for entrance into Prekindergarten (Pre-K)/Sure Start. There is no exception to the age requirement for Sure Start and Pre-K. Age requirements for students eligible for special education and related services are defined in DoD Instruction 1342.12.

8.2. KINDERGARTEN. It is DoDEA policy that a child be five (5) years old on or before September 1 of the enrolling year for entrance into Kindergarten. Preschool is not a prerequisite for attending Kindergarten. Therefore, successful completion of a Preschool program does not waive the age requirement for Kindergarten. A student who does not meet the above age requirement may only be granted an exception by the DoDEA School Principal to enroll in kindergarten if one (1) of the following is met:

a. The student is transferring from an accredited program in a foreign country where they were enrolled and attended the equivalent grade level of kindergarten (e.g., Year 1 in the British School System). Official education records verifying enrollment and attendance are required.

b. The student is transferring from being enrolled in and attending kindergarten in the local education agency from the sponsor's assigned sending state or the Non-DoD Schools Program at the time of the PCS move. PCS orders identifying the sending state along with the previous school's official education record verifying enrollment and attendance is required.

c. The student is transferring from a private or home school setting and would be eligible to enroll in kindergarten in the public school system in the sending state of residence prior to the sponsor's PCS based upon the sending state's entrance age requirements. PCS orders identifying the sending state along with education records verifying enrollment and attendance are required.

8.3. FIRST GRADE. It is DoDEA policy that a child be six (6) years old on or before September 1 of the enrolling year for entrance into First Grade. Kindergarten is not a prerequisite for attending First Grade. A student who does not meet the above age requirement for First Grade may only be granted an exception by the DoDEA School Principal to enroll in First Grade if one of the following is met:

a. The student is transferring from an accredited program in a foreign country where the student completed the grade level equivalent to kindergarten (e.g., Year 1 in the British School System) or where they were enrolled and attended the grade level equivalent to First Grade (e.g., Year 2 in the British School System). Official education records verifying enrollment and attendance are required.

b. The student is transferring after completing Kindergarten or where they were enrolled and attended First Grade in the local education agency from the sponsor's assigned sending state or the Non-DoD Schools Program at the time of the PCS move. PCS orders identifying the sending state along with the previous school's official education record verifying enrollment and attendance is required.

c. The student is transferring from a private or home school setting and was eligible to enroll in First Grade at the public school system in the state of residence prior to the sponsor's PCS. PCS orders identifying the sending state along with education records verifying enrollment and attendance are required.

GLOSSARY

G.1. ACRONYMS.

CONUS	Contiguous U.S.
COO	Chief Operating Officer
CSC	Case Study Committee
DD	Department of Defense
DEERS	Defense Enrollment Eligibility Reporting System
DSO	District Superintendent Office
EFMP	Exceptional Family Member Program
ESOL	English for Speakers of Other Languages
FAPE	free appropriate public education
FMS	Foreign Military Sales
HR	Human Resources
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
ILP	In Loco Parentis
LEA	Local Education Agency
LQA	Living Quarters Allowance
M&RA	Manpower and Reserve Affairs
NATO	North Atlantic Treaty Organization
NIS	Newly Independent States
OCONUS	Outside the Contiguous U.S.
PCS	Permanent Change of Station
PDS	permanent duty station
PfP	Partnership for Peace
POW	Prisoners of War
Pre-K	Pre-Kindergarten
SAV	staff assistance visit
SF	Standard Form
SHAPE	Supreme Headquarters Allied Powers, Europe
SIS	Student Information System
SOFA	Status of Forces Agreement

USG	U.S. Government
WPAA	West Point Athletic Association

G.2. DEFINITIONS. Unless otherwise noted, these terms and their definitions are for the purpose of this Issuance only.

accredited schools. Schools that are officially recognized as meeting prescribed standard or requirements of academic excellence, curriculum, facilities, etc., by one of the region accrediting agencies for educational institutions in the U.S.

active duty. Full-time duty in active military service of the U.S. For purposes of determining the eligibility of dependents, the term “active duty” shall include those reservists and National Guard members who are ordered to active duty for one year or more (365 or more consecutive days).

Case Study Committee. In accordance with DoD Instruction 1342.12, a DoDEA school-level multidisciplinary team comprised of, among others, a DoDEA School Administrator or designee who is qualified to supervise or provide special education, one (1) or more of the DoDEA student's regular education teachers, one (1) or more special education DoDEA teachers, sponsor, parent, and legal guardian, and related service providers (if appropriate.)

command-sponsored dependent. A minor dependent residing with the active-duty military or the full-time DoD civilian sponsor at an Outside the Contiguous U.S. (OCONUS) location where an accompanied with dependents tour is authorized; the sponsor is authorized to serve that tour, and where the dependent meets the following conditions:

The dependent is authorized by the appropriate authority to be at the member's permanent duty station (PDS). As a result of the dependent's residence in the vicinity of the sponsor's duty station, the sponsor is entitled to station allowances at the “with family” rate, or the dependent is registered in the Defense Enrollment Eligibility Reporting System (DEERS) and authorized full coverage.

commuting area. A designated geographical area surrounding a DoDEA school within which pupil transportation at the USG expense is provided for DoD dependent students, except for those living within walking distance of the school in accordance with DoD Instruction 4500.36, as amended.

CONUS. The contiguous 48 States and the District of Columbia. This definition specifically excludes the states of Alaska and Hawaii as they are not part of the contiguous states and are described as non-foreign, OCONUS locations.

dependent. The term ‘dependent’ means an individual who:

Is the child, stepchild, adopted child, ward, or spouse of a sponsor, or who is a resident in the household of a sponsor who stands *in loco parentis* (ILP) to such individual and who receives one-half or more of their support from such sponsor; and

Has not completed secondary school and who will reach their 5th but not 21st birthday on September 1 of the enrolling year; or

Eligible for The Sure Start Program, who will reach his or her 4th birthday on September 1 of the enrolling year; or

Pre-school, who will reach his or her 4th birthday on September 1 of the enrolling year; or

Has a qualifying disability and is between the ages of three (3) and 21, inclusive.

dependent-restricted tour. Any overseas duty station with an established tour of duty that does not authorize dependents. Includes stations where command-sponsored dependents may be authorized, but where the member is not eligible to serve the accompanied tour.

The Economy Act. The Economy Act, Section 1535 of Title 31, United States Code, as implemented by the Federal Acquisition Regulation, authorizes one (1) Federal agency (requiring agency, e.g., Department of State) to use its appropriations to fund another Federal agency (servicing agency, e.g., DoDEA) to supply, render, or obtain by contract supplies or services (e.g., tuition) for the requiring agency.

educational accreditation. A type of quality assurance process under which services and operations of educational institutions or programs are evaluated by an external body to determine if applicable standards are met. If standards are met, accredited status is granted by the agency. In most countries, the function of educational accreditation is conducted by the Ministry of Education. All DoDEA schools are accredited and in good standing with U.S.-based accreditation agencies.

feeder plans. Plans prepared by the DoDEA Districts; that reflect all DoDEA schools and the areas and/or military installations or communities served by each school. Dependents eligible to enroll on a space-required, tuition-free basis are eligible for such enrollment only in schools specified in the feeder plan for a particular geographical area.

full-time employment. Designation of employment for more than 32 hours a week (or 64 hours during a biweekly pay period) as compared to part-time employment defined by Section 3401 of Title 5, United States Code. DoDEA educators as defined by DoDEA Regulation 1400.13 serving in full-time positions.

good cause. Consistent with the national interest, as approved by the DoDEA Director, or designee. Such cause would permit the continued enrollment of a dependent in a DoDEA Americas school in situations such as when the child has only one (1) year of school remaining until graduation, or other such meritorious situations.

Individualized Education Program. A written document that is developed, reviewed, and revised at a meeting of the Case Study Committee (CSC), identifying the required components of the individualized education program for a child with a disability. The IEP is further described in reference DoD Instruction 1342.12.

In Loco Parentis. *In loco parentis* refers to a relationship in which a person puts themselves in the situation of a parent by assuming and discharging the obligations of a parent to a child. The burden of establishing and/or providing proof of the student's ILP status is the responsibility of the person standing ILP. For the purposes of this eligibility determination, an ILP enrollment requires: 1) that the child is a full-time resident in the sponsor's household; 2) that the sponsor is providing more than one-half of the child's support; and 3) the sponsor accepts financial and educational responsibility for the child. The person standing ILP may be liable for tuition if it is determined that a student has been fraudulently enrolled.

manpower. Full-time equivalent work years that are available to support eligible space-required, tuition-free students and may be used to support space-available, tuition-paying students.

non-command-sponsored dependents. Minor dependents of a Service member residing with the Service member at their duty station overseas where the accompanied tour may or may not be authorized. These dependents are not provided transportation to and from the Service member's overseas duty station at USG expense. Their presence does not entitle the Service member to a cost-of-living allowance or temporary lodging allowance at the "with dependents" rate. These dependents may be either acquired dependents or individually sponsored by the Service member into the command without endorsement by the appropriate authority. Depending on individual SOFAs, U.S. statutes, U.S. Congressional guidance, DoD policy, or Military Service regulations, these dependents may be denied access to certain dependent support facilities.

overseas area. Any area situated outside the U.S.

physical space. Classrooms and facilities that support the delivery of education and support services to eligible space-required students to include bathrooms, cafeterias, specialized content and students with disabilities spaces.

professional, excepted service employee. In accordance with Section 2103 of Title 5, United States Code, someone employed by the Federal government who holds a valid license or certificate from a governmental agency or professional body attesting to professional proficiency or knowledge (e.g., teacher, counselor, administrator, nurse, professional engineer, psychologist, media specialist, therapist) as certified by the agency.

related services. Transportation and such developmental, corrective, and other supportive services, as required, to assist a child with a disability to benefit from special education under the child's IEP. The term includes services or consults in the areas of speech-language pathology; audiology services; interpreting services; psychological services; physical and occupational therapy; recreation including therapeutic recreation; social work services; and school nurse services designed to enable a child with a disability to receive a free appropriate public education (FAPE) as described in the child's IEP; early identification and assessment of disabilities in children; counseling services including rehabilitation counseling; orientation and mobility services; and medical services for diagnostic or evaluative purposes. The term does not include a medical device that is surgically implanted or the replacement of such.

school records. All official documents related to student education, assessment, discipline, health, special needs, and other educational services.

sponsor. The term ‘sponsor’ means a person who is eligible to enroll their dependent in a DoD educational program.

transportation. The daily commute, field trips, extra-curricular activities, or special education transportation necessary to bring a dependent to and from a school location.

U.S. When used in a geographical sense, means the several States of the United States of America, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, the Canal Zone, and the possessions of the U.S. (excluding the Trust Territory of the Pacific Islands and Midway Islands).

waiver. The Secretary of Defense may identify classes of children who shall be eligible to enroll in DoDEA schools if and to the extent that there is space-available, establish priorities among such classes and waive the tuition requirement, in accordance with Section 923(c)(1) of Title 20, United States Code.

REFERENCES

- DD Form 2792, “Family Member Medical Summary,” January 2021
- DD Form 2792-1, “Early Intervention/Special Education Summary,” January 2021
- DoD Directive 1342.20, “Department of Defense Education Activity (DoDEA),” July 7, 2020
- DoD Instruction 1315.18, “Procedures for Military Personnel Assignments,” October 28, 2015, as amended
- DoD Instruction 1315.19, “The Exceptional Family Member Program (EFMP),” April 19, 2017
- DoD Instruction 1342.12, “Provision of Early Intervention and Special Education Services to Eligible DoD Dependents,” June 17, 2015
- DoD Instruction 1400.25, Volume 1250, “DoD Civilian Personnel Management System: Overseas Allowances and Differentials,” February 23, 2012
- DoD Manual 1342.12, “Implementation of Early Intervention and Special Education Services to Eligible DoD Dependents,” June 17, 2015
- DoD Manual 4500.36, “Acquisition, Management, and Use of DoD Non-Tactical Vehicles,” July 7, 2015, as amended
- DoDEA Administrative Instruction 1347.01, “Student Disciplinary Rules and Procedures,” April 7, 2021, effective July 1, 2021
- DoDEA Administrative Instruction 7200.01, “DoDEA Tuition Program,” October 13, 2017, as amended
- DoDEA Regulation 1400.13, “Salaries and Personnel Practices Applicable to Teachers and Other Employees of the Department of Defense Dependent Schools,” March 1, 2006, as amended
- DoDEA Regulation 2500.01, “Instructional Services for Home or Hospital,” June 15, 2009
- DoDEA Regulation 5015.01, “Records Management Program,” December 19, 2017
- Federal Acquisition Regulation, current edition
- SF 50, “Notification of Personnel Action,” July 1991
- United States Code, Title 5
- United States Code, Title 5, Section 552a(b) (also known as “The Privacy Act of 1974, as amended”)
- United States Code, Title 10
- United States Code, Title 20
- United States Code, Title 20, Chapter 33 (also known as “The Individuals with Disabilities Education Act”)
- United States Code, Title 20, Section 921 (also known as “The Defense Dependents’ Education Act of 1978, as amended”)
- United States Code, Title 31, Section 1535 (also known as “The Economy Act”)

APPENDIX

APPENDIX 1: INTERNAL CONTROLS EVALUATION CHECKLIST

DoDEA School Level	Yes/No
Collect and maintain documentation to support applicable eligibility determinations and determine related enrollment status.	
Enter appropriate registration information into the student information system (SIS).	
Determine whether a student qualifies for an exception to minimum age requirements.	
Report to the district and community superintendent the amount of space-available for additional student enrollment.	
Recommend to the district and community superintendents the continued enrollment or disenrollment of space-available dependents.	
DoDEA District Level	Yes/No
Make determinations for enrollment, continued enrollment, or disenrollment of space-available dependents based on the recommendations of the DoDEA School Administrator.	
Approve or deny exceptions to the feeder plans or commuting area.	
Ensure school registrars and local support staff responsible for enrolling students are trained in DoDEA eligibility and enrollment procedures.	
DoDEA Region Level	Yes/No
Conduct staff assistance visits (SAV) in coordination with the districts to review student registration records for validity to support enrollment.	
Make enrollment decisions where the DoDEA Director has assigned responsibility.	
Facilitate and coordinate training for District and school staff responsible for student eligibility and enrollment.	
DoDEA Headquarters Level	Yes/No
Monitor compliance with eligibility and enrollment requirements for DoDEA schools through staff assistance visits and consultations.	
Provide guidance and training for school registrars and other stakeholders in coordination with the regions.	
Facilitate enrollment and continuation decisions made by the DoDEA Director, based on recommendations from the regions.	

APPENDIX 2: NOTICE TO SPONSORS AND CONSENT FOR ALL SPACE-AVAILABLE STUDENTS

PRIVACY ACT STATEMENT

AUTHORITY: Section 2164 of Title 10, U.S.C. and Sections 921-932 of Title 20, U.S.C.

PRINCIPAL PURPOSE(S): To obtain information necessary to enroll students, administer school operations, and protect student health and welfare in DoD-operated dependent education program.

ROUTINE USE(S): Information may be disclosed within DoD under Section 552a(b) of Title 5, U.S.C. to fulfill an official duty, and outside DoD as authorized by Section 552a(b)(3) of Title 5, U.S.C. and Government-wide, DoD Blanket Routine Uses described at <http://dpclo.defense.gov/privacy/SORNs/component/osd/> and the DoDEA routine uses found in SORN 26.

DISCLOSURE: Voluntary, however, failure to disclose the information collected on this form may delay and/or prevent the enrollment of a child and/or the delivery of educational and emergency services.

SUBJECT: Space-Available Enrollment

School Year: _____

Dear _____

Welcome to the Department of Defense Education Activity (DoDEA). We have received your application for enrollment and the request is for Space-Available enrollment. Please read the notice and the consent information below my signature concerning the terms associated with Space-Available enrollment. If you agree to these conditions, list your dependent name(s), respective grade, and sign the Space-Available questionnaire. It is essential that you return this questionnaire to the school registrar to continue with your enrollment application.

Unfortunately, due to unexpected enrollment increases and changes in the communities served by DoDEA schools, the ability to provide enrollment for children on a space-available basis is often unknown until shortly before the school year begins. In an effort to relieve the concerns of sponsors, parents, or legal guardians the DoDEA schools implemented procedures to ensure that notifications of space availability are made in a timely manner.

If a classroom seat is available and educational resources are already in place at the school, then it is our expressed intent to try to accommodate your dependent. However, our priority must remain on the enrollment of Space-Required students.

DoDEA School Principal

Date

First Endorsement:

The authority for the space-available enrollment of your dependent(s) to attend the Department of Defense Education Activity (DoDEA) is under Sections 921-932 of Title 20, United States Code and Section 2164 of Title 10, United States Code. The authority to enroll your dependent as a space-available student is contingent upon the availability of physical space, manpower, and educational resources. Some examples of circumstances associated with physical space, manpower, and educational resources limitation are:

a. It is theoretically possible that enrollment of your dependent(s) could be terminated for the following school year if “space ceases to exist for any reason.” One (1) example might be a sudden influx of space-required students during the school year which overcrowds the school.

b. Another theoretical situation for disenrollment would be if your dependents suddenly require more services than are available in the school, such as: The services of an individual teacher or aide, medically-related services from the supporting military medical facility, or transportation.

DoDEA will make every effort to continue the enrollment of dependents admitted and to continue such enrollment each year. However, this admission does not constitute a guarantee of continued enrollment.

By signing this notice and consent, you agree to the following conditions for the enrollment of your dependent students in DoDEA schools.

I grant consent to (1) authorize the school to conduct such screening of my dependent(s) as the school deems necessary to identify any additional services needed, and (2) contact previous schools for educational records.

I agree that if I fail to produce all records required by the school, or if I deliver information that is either misleading or untruthful concerning my dependent’s (s’) educational or medical needs, my dependent(s) may be (1) denied enrollment, or (2) withdrawn immediately.

I agree to pay tuition if applicable at the established rates prior to the admission of my dependent(s) at the school where they are granted enrollment and acknowledge receiving and understanding the tuition payment procedures.

The name(s) and grade(s) of each dependent I wish to enroll on a space-available basis, subject to the terms and conditions of this agreement are:

_____ Grade _____
Dependent Name (Last, First MI)

_____ Grade _____
Dependent Name (Last, First MI)

_____ Grade _____
Dependent Name (Last, First MI)

Sponsor Signature _____ Date _____

DoDEA School Principal Signature _____ Date _____

District Superintendent Office (DSO) or Designee Signature _____ Date _____

Distribution: Original – Retained by School Copy – Provided to Sponsor

**APPENDIX 3: SAMPLE LETTER OF DENIAL FOR SPACE-AVAILABLE
ENROLLMENT**

Title and Name of Sponsor(s)
Military or Local Address Line
Military or Local Address Line
Military or Local Address Line

Dear Title and Name of Sponsor(s):

Your application for enrollment of your dependent, DEPENDENT FIRST NAME, LAST NAME, as a space-available student at NAME OF SCHOOL has been carefully reviewed. The Department of Defense Education Activity (DoDEA) is precluded from expending additional resources to meet the educational needs of students who seek to enroll as space-available students. After reviewing the educational records that you provided, I regret to inform you that the school cannot meet the educational needs of FIRST NAME within the existing available resources. Consequently, your application for FIRST NAME is denied for School Year (SY) 20XX-XX.

Should there be any change in the available resources at the school during SY 20XX-XX which would make it possible to meet the educational needs of FIRST NAME, you will be notified of the appropriate steps to take.

If you have any questions regarding this matter, you may address them to the District Eligibility Coordinator, NAME OF DISTRICT, by telephone at commercial ##### or DSN ##### or via electronic mail at #####.

District Superintendent
NAME OF DISTRICT

Cc: DoDEA School Principal, NAME OF SCHOOL

APPENDIX 4: SAMPLE LETTER OF TERMINATION FOR SPACE-AVAILABLE ENROLLMENT

Title and Name of Sponsor(s)
Military or Local Address Line
Military or Local Address Line
Military or Local Address Line

Dear Title and Name of Sponsor(s):

This is to inform you that effective MONTH, DAY, YEAR, enrollment of your dependent, DEPENDENT FIRST NAME, LAST NAME, as a space-available student at NAME OF SCHOOL will be terminated. The Department of Defense Education Activity (DoDEA) is precluded from expending additional financial resources to meet the educational needs of students who seek to enroll as space-available students. I regret to inform you that the school is no longer able to meet the educational needs of FIRST NAME within the existing available resources.

Should there be any change in the available resources at the school during SY 20XX-XX which would make it possible to meet the educational needs of FIRST NAME, you will be notified of the appropriate steps to take.

If you have any questions regarding this matter, you may address them to the District Eligibility Coordinator, NAME OF DISTRICT, by telephone at commercial ##### or DSN ##### or via electronic mail at #####.

District Superintendent
NAME OF DISTRICT

cc: DoDEA School Principal, NAME OF SCHOOL

APPENDIX 5: SUMMARY OF CHANGES

The significant changes in this Issuance:

- Adds clarifying language for acceptable enrollment documentation for certain federal employees residing off the installation in Puerto Rico and Guam in Sections 5.1.d. and 5.2.b.
- Deletes “who are serving in a position which includes PCS or transportation agreement” from Section 5.3.a. to alleviate redundancy.